

# Exhibit 25

1 IN THE UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF TEXAS

3 SHERMAN DIVISION

4  
5 THE STATE OF TEXAS, ET AL,

6 Plaintiffs,

7 vs.

CIVIL NO. 4:20-CV-957-SDJ

8 GOOGLE LLC,

9 Defendants.

10 \_\_\_\_\_/

11  
12  
13 HIGHLY CONFIDENTIAL

14 VIDEOTAPED DEPOSITION of [REDACTED], PhD

15 Redwood City, California

16 April 1, 2024

17 9:23 a.m.

18  
19  
20  
21  
22 Job No. MDLG6622335

23 Stenographically reported by:

24 JENNY L. GRIFFIN, RMR, CSR, CRR, CCRR, CRC


25 CSR No. 3969

<p style="text-align: right;">Page 2</p> <p>1 2 3 4 5 6 7 8 Videotaped deposition of [REDACTED], PhD, 9 taken on behalf of the Plaintiffs, at Freshfields 10 Bruckhaus Deringer, 855 Main Street, Redwood City, 11 California, on Monday, April 1, 2024, beginning at 12 9:23 a.m. and ending at 4:54 p.m., before 13 Jenny L. Griffin, a Certified Shorthand Reporter, 14 Registered Merit Reporter, Certified Realtime 15 Reporter, California Certified Realtime Reporter, 16 Certified Realtime Captioner. 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 A P P E A R A N C E S: (Continued) 2 3 ALSO PRESENT VIA ZOOM: 4 5 Zeke DeRose III: Lenier Law Firm 6 Alex Abston: Lenier Law Firm 7 Melanie DeRose: Lenier Law Firm 8 Trevor Young: Texas Office of the Attorney General 9 Blake Pescatore: Axinn 10 Jonathan Jaffe: Retained Plaintiff Consultant 11 12 13 VIDEOGRAPHER: Steve Patapoff, Golkow Litigation 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S: 2 3 NORTON ROSE FULBRIGHT US LLP 4 Attorney for Plaintiff 5 1301 McKinney, Suite 5100 6 Houston, Texas 77010-3095 7 713.651.3629 8 BY: ERIK JANITENS, ESQ. 9 JIANG WU, ESQ. 10 MARC COLLIER, ESQ. (Via Zoom) 11 Erik.janitens@nortonfulbright.com 12 Jaing.wu@nortonfulbright.com 13 14 FRESHFIELDS BRUCKHAUS DERINGER 15 Attorney for Defendant and the Witness 16 855 Main Street 17 Redwood City, California 94063 18 650.461.8276 19 BY: JUSTINA K. SESSIONS, ESQ. 20 MARA BOUNDY, ESQ. (In Person) 21 SARA SALEM, ESQ. (Via Zoom) 22 LAUREN VACA, ESQ. (Via Zoom) 23 Justina.sessions@freshfields.com 24 25</p>	<p style="text-align: right;">Page 5</p> <p>1 C O N T E N T S 2 PAGE 3 [REDACTED], Phd 4 PROCEEDINGS 12 5 EXAMINATION BY MR. JANITENS 13 6 STENOGRAPHER'S CERTIFICATE 169 7 SIGNATURE 170 8 DEPOSITION ERRATA SHEET 171 9 ---oOo--- 10 E X H I B I T S 11 [REDACTED] DESCRIPTION PAGE 12 13 Exhibit 11 LinkedIn Information for [REDACTED] 20 14 [REDACTED] - 2 pages 15 16 Exhibit 12 gTrade Analysis Project 52 17 Document - 18 GOOG-AT-MDL-001391402 through 19 -1406 20 21 Exhibit 13 Promo Packet - 75 22 GOOG-AP-MDL-002468549 through 23 -8560 24 25</p>

<p style="text-align: right;">Page 30</p> <p>1 Q. What other teams would you interact with?</p> <p>2 A. Other teams inside ads, in display ads</p> <p>3 or -- ads, basically.</p> <p>4 Q. Okay. So within display ads, what were the</p> <p>5 names of some of those teams that you would interact</p> <p>6 with?</p> <p>7 A. I don't remember. That was, yeah, eight,</p> <p>8 nine years ago. So --</p> <p>9 Q. And as a member of gTrade, would you say</p> <p>10 you were on the buy-side or the sell-side?</p> <p>11 A. If I remember correctly the terms, we were</p> <p>12 in the buy-side.</p> <p>13 Q. And so as a buy-side team member, would you</p> <p>14 assist with sell-side teams?</p> <p>15 MS. SESSIONS: Object to the form.</p> <p>16 You can answer.</p> <p>17 THE WITNESS: Yeah. I don't necessarily --</p> <p>18 I wouldn't say "assist" the teams. I interacted</p> <p>19 with them.</p> <p>20 BY MR. JANITENS:</p> <p>21 Q. How would you interact with those teams?</p> <p>22 A. We had meetings every once in a while.</p> <p>23 Q. And during those meetings, what would be</p> <p>24 discussed?</p> <p>25 A. It was about if there will be -- it was</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. Okay. And when you're working remotely, do</p> <p>2 you have access to Google's network?</p> <p>3 A. Network? I don't have access to Google's</p> <p>4 Wi-Fi, but I have access to Google's tools to do my</p> <p>5 job.</p> <p>6 Q. Okay. Are there any restrictions to what</p> <p>7 tools you can access?</p> <p>8 MS. SESSIONS: Object to the form.</p> <p>9 You can answer.</p> <p>10 THE WITNESS: I'm not aware if there's any</p> <p>11 restrictions.</p> <p>12 BY MR. JANITENS:</p> <p>13 Q. Now, since you're on the robotics team now,</p> <p>14 are you -- strike that.</p> <p>15 When you're working remotely, do you have</p> <p>16 access to dashboards?</p> <p>17 A. I think depending on the dashboard. Some</p> <p>18 dashboards, I have access.</p> <p>19 Actually, I'm not aware of -- yes. I have</p> <p>20 access to dashboards.</p> <p>21 Q. So initially you said it may be depending</p> <p>22 on the dashboard?</p> <p>23 A. No. I tried to think if there's any</p> <p>24 dashboard I cannot access from home. I couldn't</p> <p>25 find any. So --</p>
<p style="text-align: right;">Page 31</p> <p>1 about telling if there's a new project coming up or</p> <p>2 if there's something interesting that might</p> <p>3 affect -- for planning purposes, mainly.</p> <p>4 Q. What do you mean by "planning purposes"?</p> <p>5 A. If you are launching a project, that might</p> <p>6 change some numbers on the other side. So they are</p> <p>7 informed so they know because we changed something.</p> <p>8 Q. Okay. So if you were changing something on</p> <p>9 the buy-side, it could impact some numbers on the</p> <p>10 sell-side and then affect the sell-side team?</p> <p>11 A. Sometimes that could happen, yes.</p> <p>12 Q. When you mentioned launch, what exactly do</p> <p>13 you mean by "launch"?</p> <p>14 A. Launch was when a project goes live. It</p> <p>15 works fully on the -- because it's launched to work</p> <p>16 fully.</p> <p>17 Q. Okay. So a launch would be fully -- like</p> <p>18 operating on live data?</p> <p>19 A. Yes.</p> <p>20 Q. Just back real quickly. So you said you</p> <p>21 work remotely maybe one or two times a day -- sorry.</p> <p>22 Scratch that.</p> <p>23 When you work remotely, you mentioned that</p> <p>24 that was maybe once or twice a week?</p> <p>25 A. Currently, yes.</p>	<p style="text-align: right;">Page 33</p> <p>1 Q. So back -- jumping back to when you were on</p> <p>2 gTrade from 2014 to 2017, how would you typically</p> <p>3 communicate with other googlers?</p> <p>4 A. Email and face-to-face.</p> <p>5 Q. And in addition to email and face-to-face,</p> <p>6 would you use any other means to communicate with</p> <p>7 coworkers?</p> <p>8 A. We use Chat.</p> <p>9 Q. So is that just Google Chats, or are there</p> <p>10 different names internally for these Chats?</p> <p>11 A. I think at the time it was called Hangouts</p> <p>12 or Chat, yeah. They changed the name. So --</p> <p>13 Q. So when you talked to them when you were on</p> <p>14 the gTrade team, it was called Chats?</p> <p>15 A. I cannot remember that.</p> <p>16 Q. And currently, on the robotics team, still</p> <p>17 use Chats as well?</p> <p>18 A. Yes.</p> <p>19 Q. And what is the name for Chats now?</p> <p>20 A. I think it's called just Google Chats.</p> <p>21 Q. A little while ago we talked about</p> <p>22 preserving documents.</p> <p>23 Did you preserve any Chats in relation to</p> <p>24 this case?</p> <p>25 A. I did not do anything to preserve or not to</p>

<p style="text-align: right;">Page 34</p> <p>1 preserve Chats.</p> <p>2 Q. With Chats, are they typically -- strike</p> <p>3 that.</p> <p>4 With internal Google Chats, are there</p> <p>5 policies to delete the Chats after a certain amount</p> <p>6 of time?</p> <p>7 MS. SESSIONS: Object to the form.</p> <p>8 You can answer.</p> <p>9 THE WITNESS: There are settings, I think.</p> <p>10 There's a default setting. I don't know.</p> <p>11 BY MR. JANITENS:</p> <p>12 Q. Do you know what the default setting is?</p> <p>13 A. No. I don't know.</p> <p>14 Q. Now, back to while you were on gTrade</p> <p>15 communication, did you communicate with customers as</p> <p>16 part of your job?</p> <p>17 A. No.</p> <p>18 Q. Did anyone on the gTrade team communicate</p> <p>19 with customers?</p> <p>20 A. I don't know.</p> <p>21 Q. And as a member of the gTrade team, would</p> <p>22 you ever communicate with publishers or advertisers?</p> <p>23 A. No.</p> <p>24 Q. And while you were on the gTrade team,</p> <p>25 would you communicate with the public?</p>	<p style="text-align: right;">Page 36</p> <p>1 You may answer.</p> <p>2 THE WITNESS: No.</p> <p>3 BY MR. JANITENS:</p> <p>4 Q. And while using Chats while you were on the</p> <p>5 gTrade team, would you communicate with the sales</p> <p>6 team at all?</p> <p>7 A. The sales team? No. Well, I cannot</p> <p>8 remember. I don't remember.</p> <p>9 Q. And while you were on the gTrade team,</p> <p>10 would you discuss any projects with the sales team?</p> <p>11 A. Not as far as I remember.</p> <p>12 Q. Okay. Just switching gears a little bit</p> <p>13 here since we're going to be kind of talking about</p> <p>14 Google's Ad Auctions and publishers and advertisers.</p> <p>15 At a high level, how would you describe</p> <p>16 Google's Ad Exchange?</p> <p>17 MS. SESSIONS: Object to the form.</p> <p>18 You may answer if you can.</p> <p>19 THE WITNESS: I'm not sure about the full</p> <p>20 technical details of the Ad Exchange.</p> <p>21 BY MR. JANITENS:</p> <p>22 Q. Would you agree that Google's Ad Exchange</p> <p>23 is an ad auction?</p> <p>24 MS. SESSIONS: Object to the form.</p> <p>25 THE WITNESS: I'm not sure.</p>
<p style="text-align: right;">Page 35</p> <p>1 A. Communicate with the public? Any -- any</p> <p>2 public? Any person, you mean?</p> <p>3 Q. Would you communicate with any -- via any</p> <p>4 public-facing means?</p> <p>5 A. No.</p> <p>6 Q. Now, while you were on the gTrade team</p> <p>7 communicating with other coworkers via the Chats,</p> <p>8 would you discuss about any auction projects that</p> <p>9 you were working on?</p> <p>10 MS. SESSIONS: Object to the form.</p> <p>11 You can answer.</p> <p>12 THE WITNESS: Usually, no.</p> <p>13 BY MR. JANITENS:</p> <p>14 Q. What do you mean by "Usually, no"?</p> <p>15 A. We -- we usually use Chat to meet to</p> <p>16 discuss the projects.</p> <p>17 Q. Okay. So you mainly just used Chats to set</p> <p>18 up meetings to discuss?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. Now, are there -- strike that.</p> <p>21 When you were using Chats, talking with</p> <p>22 coworkers about certain auction projects, would you</p> <p>23 discuss anything that would not have been otherwise</p> <p>24 captured in an email?</p> <p>25 MS. SESSIONS: Object to the form.</p>	<p style="text-align: right;">Page 37</p> <p>1 BY MR. JANITENS:</p> <p>2 Q. So do you have a general understanding of</p> <p>3 how Google's Ad Exchange operates?</p> <p>4 A. By "general understanding," I only know at</p> <p>5 a very high level what that does.</p> <p>6 Q. Okay. Can you explain at a high level what</p> <p>7 Google Ad Exchange does?</p> <p>8 A. If I remember correctly, they get ad</p> <p>9 requests and they get some requests on the places</p> <p>10 for ads, and then they pick one to place.</p> <p>11 Q. Okay. So who gets the request?</p> <p>12 A. I'm not sure.</p> <p>13 Q. Would you agree that, let's say, a</p> <p>14 publisher that has a website with an ad space on</p> <p>15 their website, would they sell this space to</p> <p>16 advertisers?</p> <p>17 A. I'm not sure how they would sell. There</p> <p>18 might be probably many ways.</p> <p>19 Q. Okay. Can you give an example of the --</p> <p>20 one of the many ways?</p> <p>21 A. Taking -- speaking in the high level, one</p> <p>22 could just sell the website space to some advertiser</p> <p>23 directly, or if -- from my understanding, they can</p> <p>24 use some services to get ads there.</p> <p>25 Q. Okay. What are an example of some of the</p>

10 (Pages 34 - 37)

<p style="text-align: right;">Page 166</p> <p>1 should be transparent?</p> <p>2 A. I don't have an opinion of the rules of</p> <p>3 auctions. It depends on the business. It depends</p> <p>4 on the context as well.</p> <p>5 Q. Participants should be allowed to have</p> <p>6 control over their own bidding strategy; right?</p> <p>7 A. I'm not sure where that statement comes</p> <p>8 from. I don't think I have an opinion on that</p> <p>9 participant strategy.</p> <p>10 Q. Do you have an opinion whether Google</p> <p>11 should favor any one participant over another during</p> <p>12 an auction?</p> <p>13 A. No, I don't have any opinion on that.</p> <p>14 Q. While you were on gTrade team, is there</p> <p>15 anything you would have done differently?</p> <p>16 A. Not as far as I can remember.</p> <p>17 Q. And do you think that the advertisers and</p> <p>18 the publishers should have been informed about</p> <p>19 changes that you made to ad auctions?</p> <p>20 A. I don't have an opinion if they should be</p> <p>21 informed or not.</p> <p>22 Q. The profit impact that you discuss in your</p> <p>23 promo packet, is it safe to say that it went to</p> <p>24 Google?</p> <p>25 A. First, I don't know which impact. There's</p>	<p style="text-align: right;">Page 168</p> <p>1 [REDACTED]</p> <p>2 A. [REDACTED]</p> <p>3 MR. JANITENS: Okay. I'll go ahead and</p> <p>4 pass the witness.</p> <p>5 MS. SESSIONS: Thank you.</p> <p>6 We have no questions for the witness at</p> <p>7 this time.</p> <p>8 We would like to mark the transcript highly</p> <p>9 confidential, and we would like to read and sign.</p> <p>10 We can go off the record.</p> <p>11 THE VIDEOGRAPHER: Going off the record.</p> <p>12 The time is 4:54.</p> <p>13 (Time: 4:54 p.m.)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 167</p> <p>1 multiple impacts. And I don't really know if it --</p> <p>2 in the end -- if it mattered to Google or how it</p> <p>3 impacted with the rest of the projects; so -- or</p> <p>4 teams. So -- I'm not sure how it was distributed in</p> <p>5 the end.</p> <p>6 Q. If Google's profit improves, does that</p> <p>7 improve your finances?</p> <p>8 A. I don't know if there's a direct relation</p> <p>9 to that.</p> <p>10 Q. Do you own stock in Google?</p> <p>11 A. [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 Q. [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 A. [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 Q. [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 A. [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 Q. [REDACTED]</p> <p>25 [REDACTED]</p>	<p style="text-align: right;">Page 169</p> <p>1 ---oOo---</p> <p>2</p> <p>3 I, JENNY L. GRIFFIN, hereby certify:</p> <p>4 That I am a certified shorthand reporter in and</p> <p>5 for the County of Alameda, State of California;</p> <p>6 Prior to being examined, [REDACTED], PhD, the</p> <p>7 witness named in the foregoing deposition, was by me</p> <p>8 duly sworn to testify to the truth, the whole truth,</p> <p>9 and nothing but the truth; that said deposition was</p> <p>10 taken pursuant to notice at the time and place</p> <p>11 therein set forth, and was taken down by me in</p> <p>12 stenotype and thereafter transcribed by means of</p> <p>13 computer-aided transcription, and that said</p> <p>14 deposition is a true record of the testimony given by</p> <p>15 the witness.</p> <p>16 I further certify that I am neither counsel for</p> <p>17 nor related in any way to any party to said action,</p> <p>18 nor otherwise interested in the outcome thereof.</p> <p>19 In witness whereof, I have hereunto subscribed</p> <p>20 my name April 3, 2024.</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;"> JENNY L. GRIFFIN, CSR #3969 Certified Shorthand Reporter</p>

43 (Pages 166 - 169)